

EPC Hearing Notice

Publication of EPC hearing notices in the *Albuquerque Journal* will now occur on the **Wednesday - 22 days prior** to the public hearing on the **3rd Thursday of the month**. The hearing notice includes the time, place and date of the hearing along with a brief description of each application on the agenda. Previously, hearing notices were published 15 days before the public hearing. The reason for this change is to meet the advertising requirements for EPC study sessions which occur on the 2nd Thursday of each month. Rather than advertising the hearing and study session separately, a single notice will be prepared to advertise both. Contact the Planning Department at **924-3860** if you have questions.

Neighborhood Alert – Be aware that public comments at EPC Meetings have a time limitation due to the length of the EPC Hearings. The **48-Hour Rule of the EPC**: All written materials and other documents shall be submitted to the Planning Dept. no later than **9 a.m.** on the **Tuesday** of the Public Hearing week. For an Appeal Hearing – no communication with EPC is allowed within five days of the Public Hearing.

In order to make maximum use of the following information please note:

- Scan the entire list to see if your neighborhood association has a case this month.
- The name and phone number of the developer/agent is listed so that you can easily contact them should you have any questions.
- The assigned staff planner is identified with each agenda item should you need additional information (i.e., check on the actual placement of your case on the agenda). All staff may be reached at **924-3860**.
- On the day of the Hearing, call Planning at **924-3860** and the receptionist will give you the status of the Hearing.
- Staff reports are available at the Planning Office beginning at **3 p.m.** on the **Thursday** prior to the EPC Hearing.

On the 2nd Thursday of each month, the EPC has a Study Session to review the applications scheduled for the all-day public hearing which occurs on the **3rd Thursday of each month**. As with the Public Hearing, **the public is invited** to attend the Study Sessions; however, Study Sessions do not provide an open forum. Discussion is limited to staff and the EPC. Study Sessions regularly begin at 4 p.m. in the Plaza del Sol Hearing Room. Please call the Planning Department at **924-3860** to confirm the Study Session schedule as adjustments are made occasionally.

Please note that the **Pre-Hearing Meeting** will be held on **Wednesday, November 24, 2004 at 1:30 p.m.** in the Planning Conference Room, Third Floor. The **EPC Public Hearing** will be held on **Thursday, December 16, 2004 at 8:30 a.m.** in the Hearing Room for the following cases:

Citywide

All neighborhoods; 04EPC-01356, Project #1001620; The Planning Department of the City of Albuquerque, is proposing a Text Amendment to *Section 14-16-3-1* of the Zoning Code to allow up to ½ of the on-street parking on certain streets to count toward meeting the off-street parking requirements for non-residential development and for residential development that is greater than ten (10) dwelling units per acre. The purpose of the Text Amendment is to facilitate infill development, to make better use of our streets and to promote a more urban environment, where appropriate; Carmen Marrone at **924-3814**.

Northeast

Alameda North Valley, Northeast Valley (neighborhood association); 04EPC-01719, Project #1001150 (case #'s); Approximately six (6) acre(s) located on the north portion of Vista Del Norte NE between Osuna NE and Vista Monte NE (**location of request**); E-16 (**zone atlas page #**); Isaacson and Arfman Consulting Engineering at **720-7920**, agent for KB Home New Mexico, Inc. (**applicant or agency and phone #**); Requests approval of a Zone Map Amendment from SU-1/O-1 to R-2 and Site Development Plan Building Permit. (**action requested**); Elvira Lopez at **924-3910 (city staff planner)**.

Cibola Addition, Kachina Hills, Onate; 04EPC-01711, Project #1001788; Approximately four (4) acre(s) located on the north side of Menaul Boulevard NE between Marie Park Drive NE and Tramway Boulevard NE; H-22; Consensus Planning at **764-9801**, agent for Joe Hahn; Requests a Zone Map Amendment for 1) R-1 to O-1; 2) C-1 to R-T; 3) P to C-1; Stephanie Shumsky at **924-3933**.

Heritage East, North Albuquerque Acres; 04EPC-01712, Project #1003761; Approximately three (3) acre(s) located on the north side of Paseo Del Norte NE between Holbrook NE and Ventura NE; C-20; Briscoe Architects, PC at **262-0193**, agent for Vaughan Equities, LLC; Requests a Site Development Plan Building Permit for two (2) Office Buildings; Carmen Marrone at **924-3814**.

No association; 04EPC-01714, Project #1003762; Approximately five (5) acre(s) located on the south side of Eastridge Drive NE between Chelwood Park Boulevard NE and Constitution Avenue NE; J-22; Consensus Planning at **764-9801**, agent for Patrick Strosnider, Windmill Manor, LLC; Requests a Zone Map Amendment from R-1 to R-T; Anna DiMambro at **924-3924**.

John B. Robert, S.Y. Jackson; 04EPC-01720, Project #1003764; Approximately five (5) acre(s) located on the southeast corner of Manitoba Street NE and Juan Tabo Boulevard NE; F-22; SMPC Architects at **255-8668**, agent for Hope Evangelical Free Church; Requests Site Development Plan Amendment to Building Permit zoned SU-1 Church and Related Uses; Stephanie Shumsky at **924-3933**.

Northwest

West Old Town; 04EPC-01666, Project #1001945; Approximately one (1) acre(s) located on the north side of Carson Road NW between Rio Grande Boulevard NW and the Alameda Drain; J-13; Madeline Dunn at **980-2505**; Requests approval of a Zone Map Amendment from R-1 to RLT; David Stallworth at **924-3940**.

No association; 04EPC-01673, 00788, 01672, Project #1003458; Approximately ten (10) acre(s) located on the north side of Interstate 40 NW between 118th Street NW and 98th Street NW; K-8; Mark Goodwin and Associates at **828-2200**, agent for Westland Development Company, Inc.; Requests Annexation and Establishment of SU-2 for L-LT Zoning; Stephanie Shumsky at **924-3933**.

Coors Trail, Taylor Ranch, Alban Hills; 04EPC-01713, Project #1002371; Approximately seventeen (17) acre(s) located on the north side of La Orilla NW between Coors Boulevard NW and the Corrales Drain; D-12; Tierra West, LLC at **858-3100**, agent for Hoffmantown West Church; Requests a Site Development Plan Building Permit, zoned SU-1 for R-2 with Church Related Uses; Elvira Lopez at **924-3910**.

Paradise Hills, Piedras Marcadas, Eagle Ranch; 04EPC-01715, Project #1003763; Approximately two (2) acre(s) located on the northwest corner of Paradise Boulevard NW and Eagle Ranch Road NW; C-13; Claudio Vigil Architects at **842-1113**, agent for Dwayne Pino-Aermi Contractors, LLC; Requests a Site Development Plan Building Permit; David Stallworth at **924-3940**.

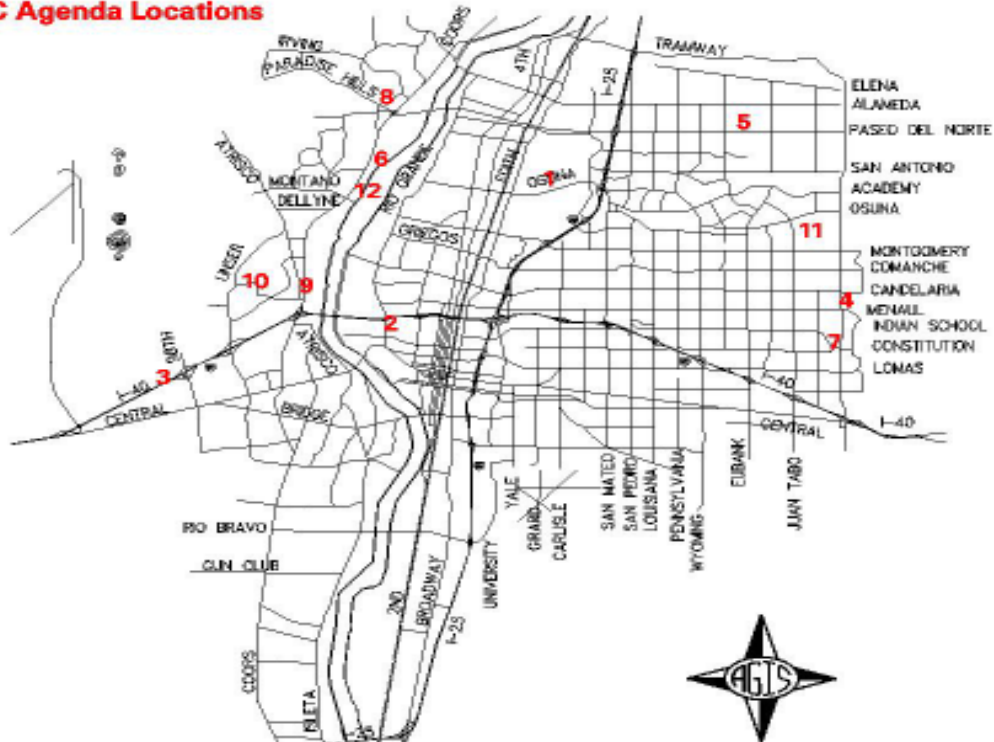
No association; 04EPC-01717 and 01716, Project #1001763; Approximately two (2) acre(s) located on the southwest corner of Quail Road NW and 57th Street NW by Ouray Road NW; H-11; Consensus Planning at **764-9801**, agent for Auto Zone Inc.; Requests a Site Plan for Subdivision Approval and Site Plan for Building Permit for a 6,816 square foot Auto Zone Retail Store; Carmen Marrone at **924-3814**.

Ladera West; 04EPC-01718, Project #1001932; Approximately four (4) acre(s) located on the southeast side of Twin Oaks Drive NW and Ouray Road NW; G-10; Claudio Vigil Architects at **842-1113**, agent for Paul Hedges; Requests Site Development Plan for Building Permit; David Stallworth at **924-3940**.

La Luz Landowners, Taylor Ranch; 04EPC-01722 and 01721, Project #1001770; Approximately one (1) acre(s) located on the north corner of Montano Road NW and Coors Boulevard NW; E-12; George Rainhart and Associates at **884-9110**, agent for JASPEG, LLC; Requests a Site Development Plan Subdivision and Site Development Plan Building Permit; Elvira Lopez at **924-3910**.

November EPC Agenda Locations

- 1 1001150
- 2 1001945
- 3 1003458
- 4 1001778
- 5 1003761
- 6 1002371
- 7 1003762
- 8 1003763
- 9 1001763
- 10 1001932
- 11 1003764
- 12 1001770



Cultural Services

November at The Albuquerque Museum

Max Evans' Hi Lo Country: Under the One-Eyed Sky – Opening November 14

Poignant words by well-known author Max Evans perfectly complement photographs of New Mexico by Jan Haley in the new exhibition *Max Evans' Hi Lo Country: Under the One-Eyed Sky*. The exhibition was inspired by a book of the same name and features a selection of images by Haley coupled with entertaining anecdotes by Evans. Evans and Haley held a book signing in the Gallery Store on November 14.

It's a Sign – New Exhibition - Opening November 21

Follow the signs to this new exhibition of works from the Museum's art and history collections. Learn about the history of signs from our past and the sentiment and nostalgia they can evoke. See *It's a Sign* through January 2, 2005.

Now Open

Common Ground: Art in New Mexico

Common Ground is a permanent art exhibition highlighting a significant amount of museum-owned works from the late 19th century to the present day, including some that have never before been viewed by the public. It is displayed chronologically giving visitors a glimpse into the evolution of art in New Mexico.

Space Silence Spirit – Maynard Dixon's West

A collection of paintings and drawings by Western artist Maynard Dixon are featured in this exhibition. The works by Dixon, considered to be one of the West's great landscape artists, span from 1894 to 1942 and represent his travels throughout New Mexico, California, Nevada, Arizona and Utah. On display through **January 2, 2005**.

Miniatures 2004 – Through December 12

Miniatures 2004 features paintings and sculptures by some of the leading artists in the United States. All the works are for sale with the proceeds going to support the Albuquerque Museum Foundation's programs. Art can be purchased in the Gallery Store through **December 12**.

Other Activities

Friday, November 19 – Old Town ArtsCrawl – 5 - 8 p.m.

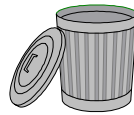
The Gallery Store will join the Old Town Galleries for ArtsCrawl. Meet artists Jo Antreasian and John Garrett during a reception from 5 - 8 p.m. **Free**.

Thursday, November 25 – Thanksgiving Day - CLOSED

Friday, November 26 - Museum will be **OPEN**.

Albuquerque/Bernalillo County Library System

Mayor Martin J. Chavez has inaugurated a 6% increase in library service hours in Albuquerque. New Library hours include Sundays from 1 to 5 p.m. at Taylor Ranch, Cherry Hills and Wyoming Libraries. Taylor Ranch and Cherry Hills Libraries are now open on Mondays from 10 a.m. to 8 p.m. Hours are increased or changed at 9 of the 17 library branches. Each library has printed schedules of all of the new hours. Customers may call 768-5140 for the hours at their local branch. Information is also available at <www.cabq.gov/library>.



Talkin' Trash

Let's Get Tough On Trash Albuquerque!

Submitted By Tina Trekker

This year, Mayor Martin Chavez is tough on trash. The City of Albuquerque has launched a new and better campaign to get rid of the roadside trash problem here in Albuquerque. The underlying theme of the campaign and also the slogan is to "Restore the Beauty." The City of Albuquerque has made a serious commitment to making this community litter free. Not only is Albuquerque a cleaner city now, but it also looks great too. The launch of this anti-litter campaign is affecting everyone, so for all of you litterbugs out there, Beware!



If you haven't seen the anti-litter billboards around town, they clearly state, "Pick It Up Now or Pick It Up Later, Litterbugs Now Sentenced to Roadside Trash Detail." This means that judges in Albuquerque have made a commitment to keeping Albuquerque litter free. If you are cited for littering from an APD officer and you appear in court - you will now be sentenced to community service to pick up trash. Before, you could pay a fine and be on your merry way. Littering is a significant problem in this city and making someone accountable for littering is sure to make someone re-think his/her decision the next time.

The City of Albuquerque is working closely with neighborhood associations, businesses, civic organizations and Albuquerque Public Schools to ensure this city is free of that unattractive trash you see on the side of the road.

Adopt-an-Area is a program that the City has created for neighborhood associations to keep their boundaries litter free. It's very simple. All you have to do is sign an agreement to keep trash out of a specific area. There are currently 17 neighborhood associations involved. For participating neighborhood associations, the **Adopt-An-Area Program** provides an annual \$200 stipend. Businesses are asked to keep their properties and surrounding areas clean and distribute litterbags to neighboring businesses. Currently, there are 8 businesses participating in this program. We can do more.

So Albuquerque, let's work hard to "Restore the Beauty" of our amazing city! To report littering call: **505-857-8060**; graffiti call: **505-768-4725**; illegal dumping: **505-768-DUMP**; abandoned cars call: **505-768-CARS**.



CITY SCOOP

News From City Departments

ALBUQUERQUE HUMAN RIGHTS OFFICE

The Albuquerque Human Rights Board Accepting Neil Isbin Scholarship Applications For Senior High Students

The Albuquerque Human Rights Board will award A **NEIL ISBIN SCHOLARSHIP** of \$1000 to a **senior high school student** (from an Albuquerque public, private, or alternative high school) who can demonstrate human rights/human dignity achievements or ongoing volunteer work in the area of human rights and human dignity in Albuquerque and who is continuing his/her education. The Board would like to present the scholarship and award to the recipient at their high school's awards ceremony in the spring of 2005.

In 1996, Herb and Kathie Isbin established a scholarship trust fund named in memory of their son, Neil Isbin who died in 1996. Neil was a long time human rights activist who worked tirelessly to improve the lot of humankind and who fought for equality and justice for everyone.

The senior high school student must be enrolled or be enrolling at an accredited university or college. (The scholarship award will be made in both the name of the student and the university or college of choice).

High school senior students who are interested in applying for the **NEIL ISBIN SCHOLARSHIP** should call Grace Barragán or write the Albuquerque Human Rights Office for a copy of the **NEIL ISBIN SCHOLARSHIP CRITERIA**. You may also request the criteria by e-mail: <dcrollett@cabq.gov>. The Albuquerque Human Rights Office is located at Plaza del Sol, 600 Second Street NW, Fifth Floor, Suite 520, P.O. Box 1293, Albuquerque, NM 87103; VOICE: **505-924-3380**; NM RELAY: **1-800-659-8331**; FAX: **505-924-3372**.

**DEADLINE FOR SUBMITTING
SCHOLARSHIP APPLICATIONS IS
MONDAY, MARCH 7, 2005**



Albuquerque Fire Department

Take a look at some of *Albuquerque's Finest Firemen/Women* in The "Southwest Firefighters" 2005 calendar! It is available for sale at: TLC Uniforms, 201 2nd St. NW; Elsa Ross Boutique, 3511 Central NE; Page One Book Store, Juan Tabo &

Montgomery; on-line at: <www.southwestfirefighters.com> and <EBay.com>. Calendars are \$10.00 each.

For more information call Lynn at **934-8727**. Proceeds benefit the Firefighters Memorial Fund.



Albuquerque Police Department

On January 4, 2005, the Albuquerque Police Department (APD) will hold the 23rd Citizen Police Academy. **The Academy is FREE!**

Our mission is to provide citizens with an overview of the Albuquerque Police Department and the criminal justice system. The goal is to give citizens a better understanding of the guidelines an officer operates within and to develop citizen awareness of the role law enforcement plays in their community and lives. The police department also hopes to maximize the use of citizens for the Department's Volunteer Program.

Applicants must be at least 18 years of age. Applicants cannot have any felony convictions, or any misdemeanor or D.W.I. arrests within the last three years of application date. Applicants must pass a background check conducted by the police department.

If you would like to attend the 23rd Citizen Police Academy session, please fill out and return the **enclosed application form**. If you have any concerns or questions about the Citizens Police Academy, please contact Officer Jennifer Madrid-Otero at the Albuquerque Police Academy - **343-5000**.

Public Works,

Wastewater Utilities Division

Sewer Odors In The City



The current weather (including atmospheric pressure) + type of sewage + condition of the sewer line = a not so pleasant odor. This isn't your typical calculation, but it is an equation that collection system personnel must deal with every day in order to control sewer odors in the City of Albuquerque.

There are eight odor control stations in Albuquerque. These stations add one of two chemicals; Ferrous chloride or Bioxide. In the past chlorine or hydrogen peroxide was used to control odors, but hydrogen peroxide required large doses, and both chlorine and hydrogen peroxide are hazardous in nature. Ferrous chloride and Bioxide are used because they are effective for long term odor control.

The effect of the stations is monitored downstream using the concentration of hydrogen sulfide present in the sewer line. Samples are taken every five minutes, and feed rates are adjusted based on the data collected at the monitoring stations.

Despite our best efforts sometimes conditions change without warning, so if you smell a strong odor of hydrogen sulfide (rotten egg odor) in your neighborhood it can be an indication of changing conditions or other problems in the collection system, please call the *Water Emergency Dispatch Office* at **857-8250** to report sewer odors in your neighborhood.

APD Crime Prevention

Beginning this month we have a new feature. The APD will focus on a neighborhood association or area of town each month by providing information on reported crime.

The purpose of this new feature is to help educate citizens on what is happening in their communities and how anyone can access this information from the World Wide Web.

Below you will find a crime map of the Cherry Hills Civic Association. This map shows all incidents of UCR (Uniform Crime Report) part one crimes that have occurred between January 1, 2004 and the end of September.

The Albuquerque Police Department works with two different types of data. Uniform Crime Reporting (UCR) data and calls for service data.

UCR data is compiled in accordance with FBI standards and is only classified as a criminal offense after a police report has been written and that report has been thoroughly reviewed by a UCR clerk. Part one crimes falls into one of eight categories: murder, rape, robbery, aggravated assault, burglary, larceny, auto theft and arson. UCR data is an accurate count of crime, however, accuracy takes time. The UCR report usually take about two months to compile.

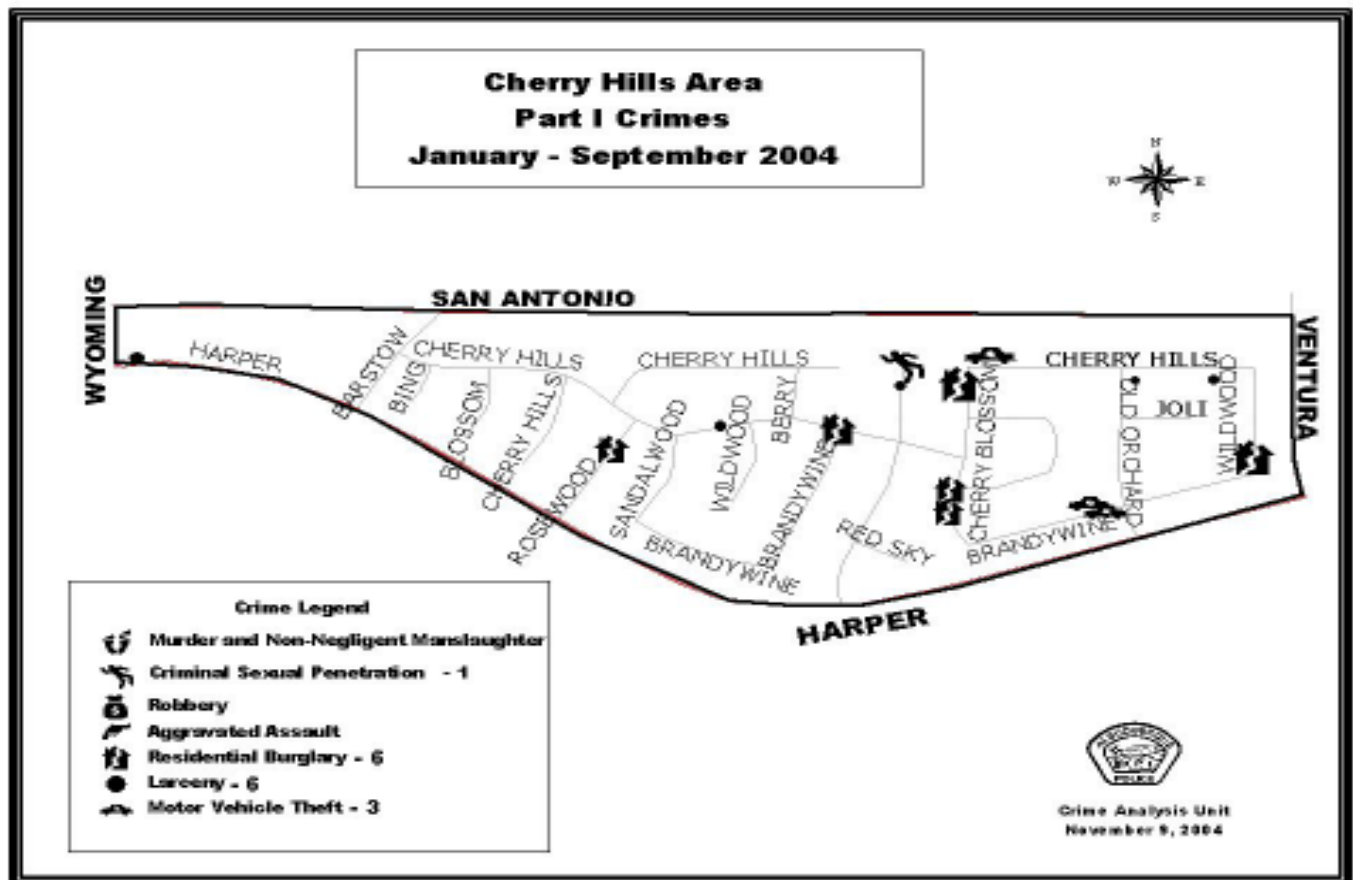
Calls for service data is just what it says. Calls coming into the 911 and 242-COPS lines requesting police respond to a certain location or incident. A call for service is not always a crime. For example, a person could call 911 to report their vehicle stolen, however, when the officer responds and investigates, it is discovered the car was actually repossessed. Another example could be a officer responding to a suspicious person only to discover that nothing out of the ordinary has occurred. Calls for service data is updated and available daily. However it is not necessarily a true representation of criminal activity.

This month we are highlighting the Cherry Hills Civic Association. We will continue to profile an area of town or neighborhood association each month. As community related public safety issues come to our attention, we may focus on a crime or an area where we have seen an increase in calls for service.

ACCESSING CRIME DATA ON THE WEB

Follow the steps below to access various crime data on the City of Albuquerque's website:

1. Go to the website cabq.gov. 2. Click on the A-Z tab. It's under the hot air balloon on the top of the page. 3. Scroll down to the Albuquerque Police Department link. Click on it. 4. Click on the Crime Statistics link under the information heading on the left side of the page. 5. Click on Dynamic Neighborhood and Beat Crime Statistics. 6. Near the bottom of the page, click on the link that says Find Your Neighborhood Association or Police Beat here. 7. Type in your address as directed. Hit enter. Your neighborhood association and beat information will appear. 8. Return to previous page. Click on any of the links to view Crime Statistics. 9. Click on the link for your neighborhood association. Crime Statistics will appear.



APD Crime Prevention

Submitted By Steve Sink



HOLIDAY and TRAVEL SAFETY

There are traditional times each year that many of us choose to travel to see family and friends as well as enjoy a vacation. Generally, when we go on trips we are less likely to focus on our surroundings and safety. Most of the security resources you can depend on at the office or at home are nonexistent when you travel. Your greatest resource is yourself – your willingness to take precautions, vary your routes, keep a low profile and be alert to suspicious behavior and circumstances. The following tips for securing your residence and travel safety should be observed before and during a trip.

Securing Your Residence and Preparing for Travel – Reduce Criminal Opportunity:

- Ask a trusted neighbor to watch your residence and report suspicious activity.
- If possible, have a trusted friend or family member stay at your home.
- Install automatic timers on lights, TV's and radios to give the impression someone is home.
- Do not have mail and newspaper delivery stopped. If you have a rollout trash dumpster, have a neighbor place it in the street on pick up day and return it that evening. Also, ask them to park a vehicle in the driveway when ever possible and collect your mail and newspapers.
- Be extra cautious about locking all doors and windows.
- Make sure trees and shrubs are trimmed to allow for good natural surveillance of your property.
- Make arrangements to have exterior lights on each night.
- Each entrance should have solid core or metal doors and deadbolt locks.
- All primary window locks should be operational and secondary locks should be installed.
- Let neighbors, family and friends know when you plan to return from a trip.

Travel and Hotel/Motel Safety:

- Always be aware of your surroundings and trust your instincts.
- Lock all personal items in the trunk or away from view – roll up windows, lock doors and take your keys.
- Park in well lit areas with a lot of activity. Park as close to an entrance as possible.
- Rooms should have solid core or metal doors and an eye viewer. Change rooms if these items are worn out or not functioning properly.
- Always verify who's at your door. If you are not expecting a visitor, call the front desk if the person claims to be with the facility and do not open the door to strangers or solicitors.
- If you observe suspicious behavior notify hotel/motel personnel or call the police.
- Look for establishments that have the unit doors and walkways enclosed as well as electronic card access verses the outdated door key.
- Turn on the TV or radio when you are away from the room and leave a light on.
- Request a room closest to the main office – avoid end units. Higher floors are preferred.
- Identify emergency exits and discuss hotel/motel safety and security with family members.
- Keep valuables in the hotel/motel safe or leave them at home.
- Carry a minimum amount of luggage and never leave them unattended.
- Carry only those personal items necessary for a particular trip. Use traveler's checks or credit cards when ever possible. Leave local credit cards at home.
- Avoid carrying a purse whenever possible. Place money and credit cards in a front or jacket pocket. If you must carry a purse, carry it close to your body with flap facing inward and place strap around your shoulder (never wrap it around your body or neck).
- Don't display your room key or leave them in places they can be easily stolen.

Planning

Public Review of Proposed Mixed-Use Zones

On December 9, 2004 at 3 p.m. in the Plaza del Sol Hearing Room, 600 Second Street NW, the Environmental Planning Commission will consider proposed amendments to the City Zoning Ordinance to create the SU-1 MU-1/MU-2 mixed-use zones (Project 1001620 04EPC-00692), and proposed amendments to the Albuquerque/Bernalillo County Comprehensive Plan related to the proposed residential densities in the SU-1 MU-1/MU-2 mixed-use zones (Project 1002403 04EPC-00695).

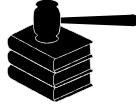
The SU-1 MU-1/MU-2 zones are proposed to promote mixed-use development within the city as envisioned by the Centers and Corridors policies of the Comprehensive Plan and the Planned Growth Strategy. The SU-1 MU-1/MU-2 zones propose residential densities from 72 dwelling units per acre on designated Transit Corridors and all Activity Centers (SU-1/MU-1), to no stated limit on residential density for application in Major Activity Centers only (SU-1/MU-2). Based on residential densities proposed in the SU-1 MU-1/MU-2 zones, the proposed amendments to the Comprehensive Plan would allow residential densities of 36 dwelling units per acre and higher in designated Activity Centers and Transit Corridors within the city limits. If approved by the Environmental Planning Commission and the City Council, applications for zone changes for the SU-1 MU-1/MU-2 zones would be reviewed only for properties under existing non-residential zoning in Activity Center and Transit Corridor locations.

Public meetings were held by Planning Department staff to discuss these proposals with Neighborhood Coalitions, some Neighborhood Associations, and other interested groups from January through September 2004. Letters of notice have, previously, been sent regarding these proposals to the city's Neighborhood Associations, in fulfillment of notice requirements under **Ordinance O-92, Section 14-8-2-6, Responsibilities of the City, for public notification for proposed amendments to the Comprehensive Plan.**

The proposed SU-1 MU-1/MU-2 zones and related amendments to the Comprehensive Plan are also posted on the City's Web Site <www.cabq.gov/planning>, under Notice. If you have questions on these proposals, contact Makita Hill, Planner <mhill@cabq.gov>, Advance Planning Division at 924-3879.

CITY SCOOP continued

Metro Court



WHAT IS THE METROPOLITAN COURT MEDIATION DIVISION?

By Susan Barnes-Anderson, Program Director

If you are involved in a lawsuit at Bernalillo County Metropolitan Court, you may be able to resolve it by participating in mediation. Mediation is one way for people to settle disputes. In mediation, the people who are involved in the dispute are helped by mediators to look for a solution that works for them.

Mediators do not decide cases. The purpose of the mediation is to find solutions that meet the needs of the people involved. It is also a voluntary process. We won't force people to go to mediation. Most times however, people are willing to at least give it a try.

What can mediation do?

Mediation can help you resolve the problem that has brought you to court. ***The best resolution to any problem is usually one worked out by the people involved.*** Through mediation, people often arrive at a resolution more quickly than by going to trial and asking a judge to decide their case.

Mediation is an informal process, although the mediator does structure the discussion. Most people find it a comfortable and productive process. Many people prefer to take an active part in solving their own problem, rather than waiting for a judge to impose a solution.

Who attends the mediation?

We have found mediation works best when only the parties involved in the dispute are the ones to attend the mediation. Persons attending the mediation should have the authority to negotiate and enter into an agreement (if one is reached). It's a good idea not to bring children to the mediation. And because it's not a formal court proceeding where testimony is heard and evidence is presented to a judge, witnesses do not attend mediation.

If an attorney (or anyone else) plans to attend the mediation, their role has to be clarified in advance and it has to be okay with the other party.

Sometimes it's appropriate for an attorney to attend if their client is a large corporation, collection agency or insurance company. (For example, in insurance cases an attorney and an adjuster might attend.)

Who are the mediators?

The mediators are our neighbors and members of our community. They are a diverse group of people who come from all walks of life, but have one important thing in common – a desire to help people in their community resolve disputes and conflicts in a more collaborative and cooperative way.

All of our mediators have received professional training and offer their services on a pro bono (free of charge) basis. They

do not take sides and they know how to deal with situations that can sometimes be tense or emotional. They ***DO NOT*** give legal advice or provide legal services.

Do I have to be willing to compromise?

No. Sometimes agreements will include compromises, but not always. Even if people don't reach an agreement through mediation, at least they've had the opportunity to talk about the situation, share their feelings and perspectives and listen to the other person's perspective.

How can I prepare myself if I'm involved in a mediation?

Think about what you want to discuss and what's important to you. Think about the following questions:

What is the best result I can hope for?

What is the worst result that could happen?

What might be a sensible, realistic and fair resolution?

What happens at a mediation?

Mediations can last anywhere between 30 minutes and 2 hours or more. The mediators and the parties will sit around a table. You and the other party will have the opportunity to talk about what's happened and what's important to you. You'll talk about different ways the case might be resolved. The mediators will ask questions, try to help clarify issues and make sure each party is understood and acknowledged. Think of it as having a "facilitated conversation or discussion."

If you decide you'd like to take some time to think about it or talk to someone before you make a final decision (your attorney, spouse, family member, friend, etc.), the mediation will end and you'll be given a few days to do that. If you resolve your case through mediation, an agreement will be signed by all parties and it will become part of the case file. The case will not have to proceed to court.

REMEMBER - any agreement reached in mediation is voluntary. You won't be required to agree to anything unless you want to.

What if the other party doesn't abide by the agreement?

Most times (95% or so), people follow through on their mediated agreements. We believe this is because mediated agreements are created by the parties themselves – not by other people (like arbitrators or judges). If the mediated agreement is not followed, the Mediation Division follows up with the parties and tries to help them get back on track. If that doesn't work, a motion to enforce mediated agreement can be filed with the court for the purpose of obtaining a judgment.

What if the case doesn't resolve in mediation?

The case then proceeds on to the assigned judge and is set for hearing (trial).

The mediators do not make a report about what happened in the mediation. We just report a mediation was held, but no agreement was reached.

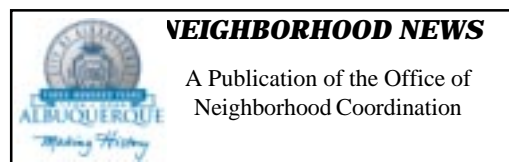
If you have other questions about mediation, please call the Mediation Division at **841-8167**.

OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Neighborhood News is published monthly by the Office of Neighborhood Coordination (ONC), a division of the Planning Department, City of Albuquerque. Articles and information from neighborhood associations and others are welcome.

***ONC reserves the right to edit
and/or reject any submissions.***

**** SUBMISSIONS ARE DUE BY
THE 5th OF EACH MONTH ****



PLEASE SHARE WITH YOUR NEIGHBORS

Route to:

PRSR STD
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